

Case 1:22-mc-00100 Document 2 Filed on 09/21/22 in TXSD Page 1 of 3

United States District Court  
Southern District of Texas

**ENTERED**

September 21, 2022  
Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION

JENNIFER SCARBOROUGH,

§

VS.

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ALEXANDRA LOZANO, *et al.*,

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CIVIL MISC. ACTION NO. 1:22-mc-100

**ORDER**

Jennifer Scarborough, representing herself, filed a Motion to Quash Third-Party Subpoena and for a Protective Order (Doc 1). Alexandra Lozano, Giulia Fantacci, and Angelyne Lisinski are plaintiffs in a lawsuit pending in the Southern District of Ohio. *See Lozano v. John Does 1 through X*, Docket No. 2:22-cv-03089 (S.D. Ohio) (“*Lozano Case*”). On August 12, 2022, Magistrate Judge Kimberly A. Jolson granted Lozano, Fantacci, and Lisinski leave to serve third-party subpoenas before the conference required by Federal Rule of Civil Procedure 26(f). (Order, Doc. 1-4) Based on that Order, on or about August 22, Plaintiffs served a Subpoena to Testify at a Deposition in a Civil Action on Jennifer Scarborough, requiring compliance with the subpoena in Harlingen, Texas, within the jurisdiction of the Southern District of Texas–Brownsville Division. (Subpoena, Doc. 1-1)<sup>1</sup>

Scarborough objects to the subpoena as overly broad, unduly burdensome, and as seeking information not relevant to the causes of action in the *Lozano Case*. (Motion, Doc. 1) She also argues that the Compliance Court should quash the subpoena on the grounds that the Issuing Court lacks personal jurisdiction over her. In the alternative, Scarborough seeks a protective order limiting her deposition testimony and permissible discovery to the issue of Scarborough’s contacts with Ohio.

To facilitate the Compliance Court’s consideration of the Motion, it is:

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<sup>1</sup> In connection with the subpoena, the Southern District of Ohio represents the Issuing Court, while the Southern District of Texas represents the Compliance Court.

**ORDERED** that Jennifer Scarborough's Motion to Quash Third-Party Subpoena and For a Protective Order is **GRANTED IN PART**, as described in this Order;

**ORDERED** that Jennifer Scarborough is not required to respond to the subpoena in *Lozano v. John Does 1 through X*, Docket No. 2:22-cv-03089 (S.D. Ohio) (Doc. 1-1), pending the Compliance Court's resolution of the substantive issues raised within the Motion to Quash Third-Party Subpoena and for a Protective Order (Doc. 1);

**ORDERED** that by no later than September 26, 2022, Jennifer Scarborough shall file a Notice in *Lozano v. John Does 1 through X*, Docket No. 2:22-cv-03089 (S.D. Ohio), attaching a copy of this Order;

**ORDERED** that by no later than October 3, 2022, Jennifer Scarborough shall file with the Compliance Court a Notice demonstrating her compliance with the previous paragraph; and

**ORDERED** that by no later than October 10, 2022, Plaintiffs Alexandra Lozano, Giulia Fantacci, and Angelyne Lisinski in *Lozano v. John Does 1 through X*, Docket No. 2:22-cv-03089 (S.D. Ohio), shall file with the Compliance Court a response to the Motion to Quash Third-Party Subpoena and for a Protective Order (Doc. 1). The Compliance Court advises Plaintiffs Alexandra Lozano, Giulia Fantacci, and Angelyne Lisinski that their failure to file a response by the indicated date shall be viewed as their agreement to the relief requested in the Motion to Quash Third-Party Subpoena and for a Protective Order (Doc. 1).

It is also **ORDERED** that for the purpose of filing the required response and in connection with the resolution of the issues raised by the Motion to Quash Third-Party Subpoena and for a Protective Order (Doc. 1), counsel for Plaintiffs Alexandra Lozano, Giulia Fantacci, and Angelyne Lisinski in *Lozano v. John Does 1 through X*, Docket No. 2:22-cv-03089 (S.D. Ohio), are deemed admitted in the Southern District of Texas, without the necessity of having to submit an Application for Admission *Pro Hac Vice*.

Signed on September 21, 2022.

Fernando Rodriguez, Jr.

Fernando Rodriguez, Jr.  
United States District Judge